

**CITY OF BALTIMORE  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF SOLID WASTE**

**TEN YEAR SOLID WASTE MANAGEMENT PLAN  
JULY 2002**



***CHAPTER 1  
GOALS AND INSTITUTIONAL/REGULATORY SETTING***



## **1.0 GOALS AND INSTITUTIONAL/REGULATORY SETTING**

State regulations for the development of comprehensive solid waste management plans require that Chapter 1 discuss the subdivision's goals regarding solid waste management; the structure of the subdivision's government as it relates to solid waste management; and State, Federal and local laws and regulations which effect the planning, establishment and operation of solid waste disposal systems by the subdivision. These subjects are addressed in Sections 1.1, 1.2 and 1.3. Section 1.4 describes the public participation processes used in developing this plan and for siting solid waste acceptance facilities.

### **1.1 GOALS REGARDING SOLID WASTE MANAGEMENT**

Since 1872, Baltimore City has provided solid waste collection and disposal services for its citizens in an effort to safeguard public health. While waste that once was collected in horse-drawn carts is now collected in sleek, trash compacting motor vehicles, the original purpose of protecting public health remains.

The effective collection and disposal of solid waste is critical to public health, especially in a high-density urban area like Baltimore City. Efficiently using the City's limited financial resources is vital if sanitation needs are to be met and public health protected. Therefore, the City's major goal regarding solid waste management is to provide and facilitate proper sanitation, including the collection and disposal of all wastes generated within the City, as cost effectively as possible.

The City's primary concern in managing solid waste is for those materials for which it has collection and disposal responsibility. This consists mainly of wastes generated at single-family residences and at condominiums under contract with the City. While the City also collects from some multi-family residences and commercial and industrial establishments, private contractors typically provide collection services in these areas.

The City believes that it can collect and dispose of residential solid waste most effectively and efficiently through an integrated waste management system. Integrated waste management utilizes source reduction, recycling, and incineration, along with the traditional use of landfills as a comprehensive waste management strategy.

Integrated waste management was a recommendation contained in the U.S. Environmental Protection Agency's (EPA) 1989 Agenda for Action. This agenda was developed to guide the nation in responding to the "solid waste disposal crisis" that resulted from increased waste generation and decreased landfill capacity. The EPA concern was that the landfill capacity would be insufficient to meet disposal needs due to existing landfills reaching capacity, as the siting procedures for new facilities were becoming more difficult. Thus, to address the

disposal crisis, the EPA recommended increased source reduction and recycling, and recommended that incineration and landfilling be utilized at environmentally sound facilities. Only through such an integrated approach could the country's disposal capacity be brought into line with its disposal needs.

The City seeks to reduce the amount of solid waste generated and disposed of through source reduction and recycling. The City is rapidly approaching its goal of 40 percent of the waste stream to be recycled by 2007 (see Section 3.3.3). The City seeks to reduce the amount of waste that must be landfilled by utilizing resource recovery facilities for wastes that are not recycled. Finally, it seeks to ensure proper landfilling of wastes that are neither recycled nor incinerated as well as the residues generated from recycling and incineration.

Recycling issues are discussed in greater detail in the Baltimore Regional Recycling Plan. This document is incorporated by reference into this comprehensive solid waste management plan.

## **1.2 CITY GOVERNMENT STRUCTURE**

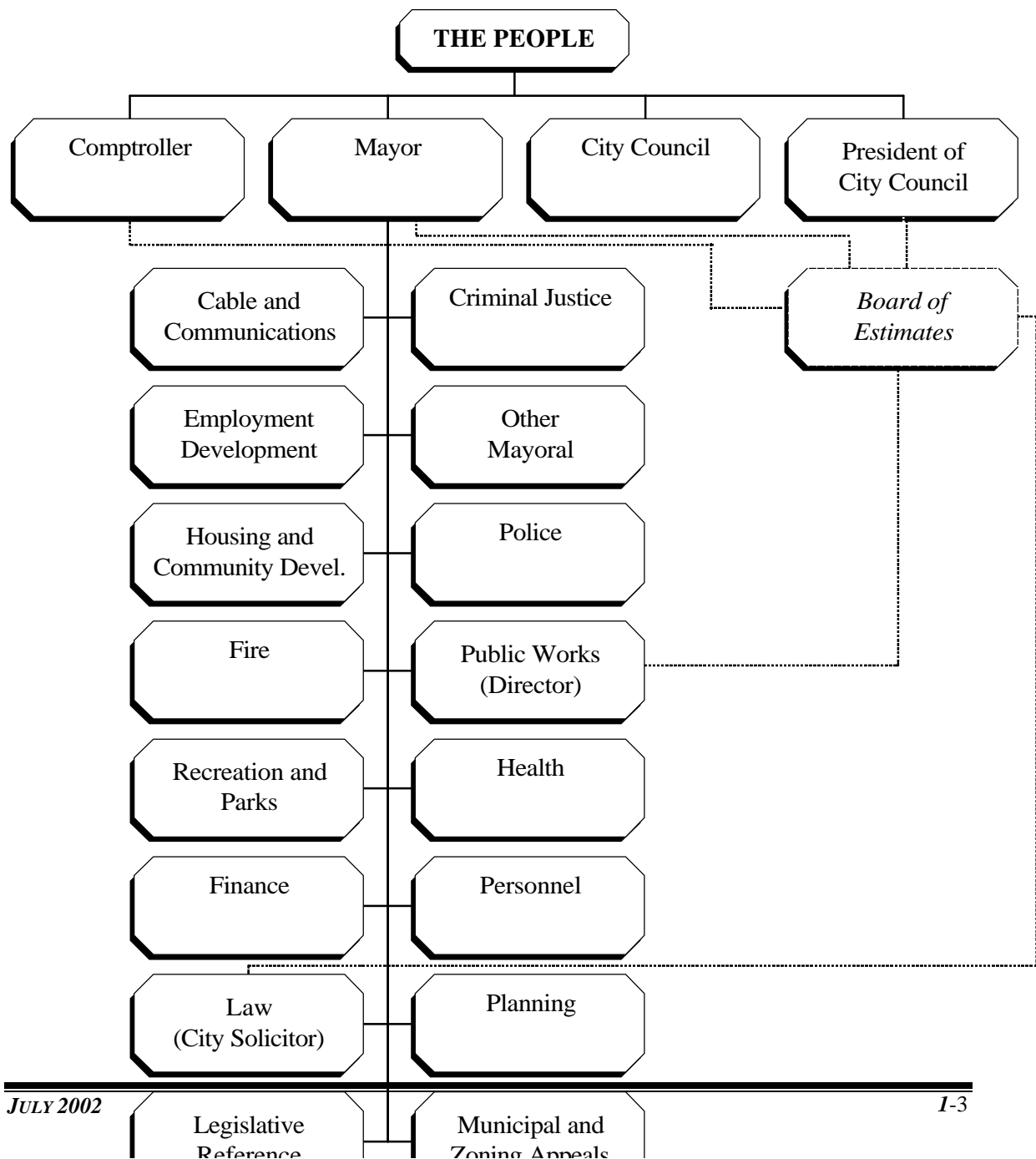
In the City of Baltimore, the Department of Public Works has the major responsibility for planning and implementing solid waste management programs. This responsibility is assigned to the Bureau of Solid Waste. Figures 1-1, 1-2 and 1-3 represent the Organization Charts for the City of Baltimore, The Department of Public Works and the Bureau of Solid Waste, respectively. The format by which the Bureau of Solid Waste operates through its Collections Division, Environmental Services Division and Education and Enforcement Division is shown in Figures 1-4, 1-5 and 1-6.

The Bureau of Solid Waste's Collections Division is responsible for all trash collection and cleaning services provided by the City. Its Routine Services Section is responsible for residential mixed refuse collection services as well as Business District, lot, street and alley cleaning. Its Special Services Section is responsible for Citywide recycling; waterway cleaning; and the collecting and cleaning of residential bulk, leaves, graffiti, eviction chattel, and fire debris. This division is also charged with collection from condominiums, rat eradication, and the support and coordination for community clean-ups

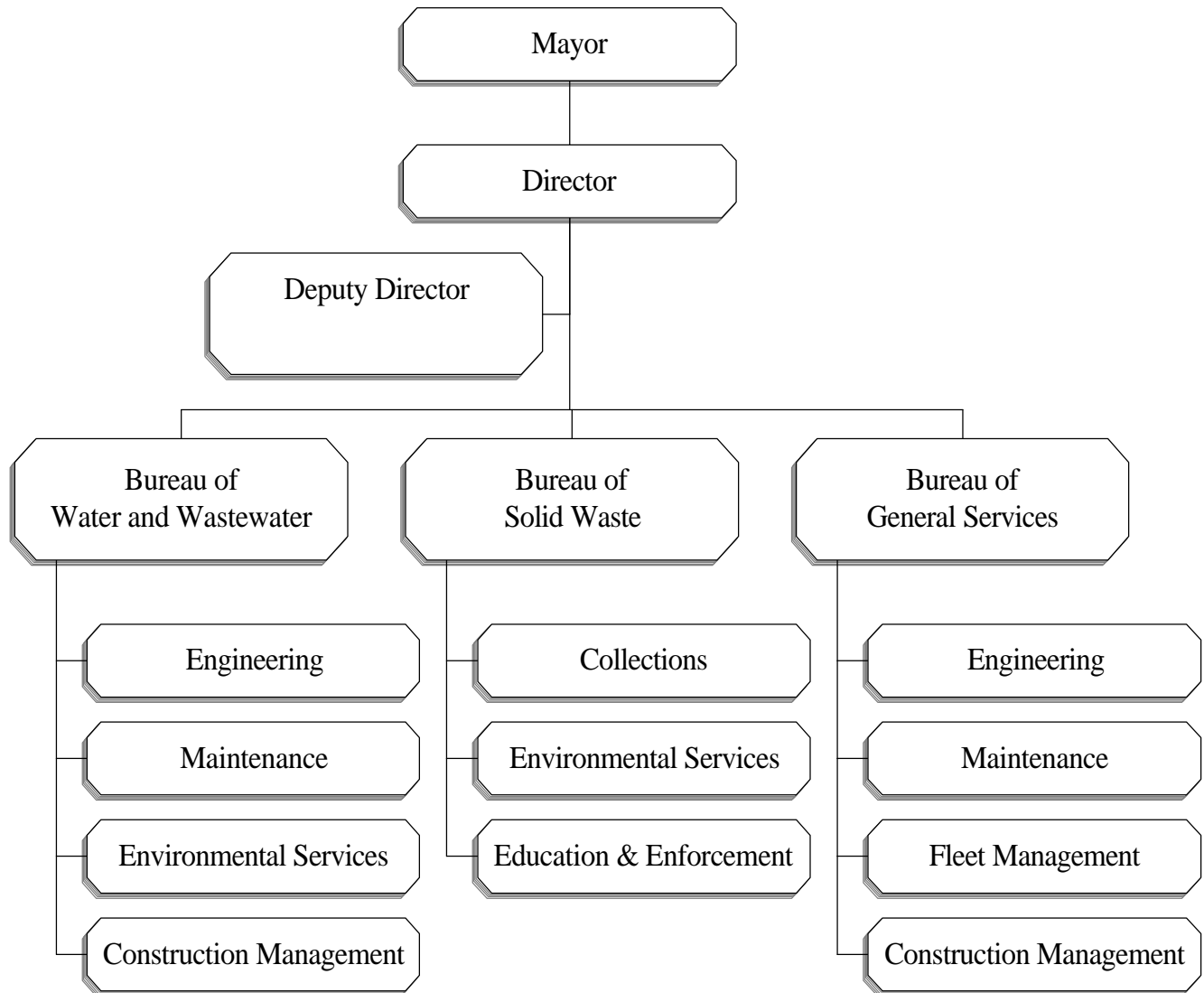
The Bureau's Environmental Services Division provides engineering and project management for its Capital Improvement Program. It also operates and maintains the Northwest Transfer Station, Quarantine Road Sanitary Landfill and all closed landfills that are owned by the City. This division is responsible for compiling the information in this Ten Year Solid Waste Management Plan.

The Education and Enforcement Division is the training and compliance arm of the Bureau. This division is responsible for the internal training of its employees and the dissemination of information regarding solid waste issues to the general public. This division is also responsible for coordinating efforts to enforce regulations that keep the City clean through the proper collection and disposal of solid waste.

**FIGURE 1-1  
BALTIMORE CITY MUNICIPAL ORGANIZATIONAL CHART**

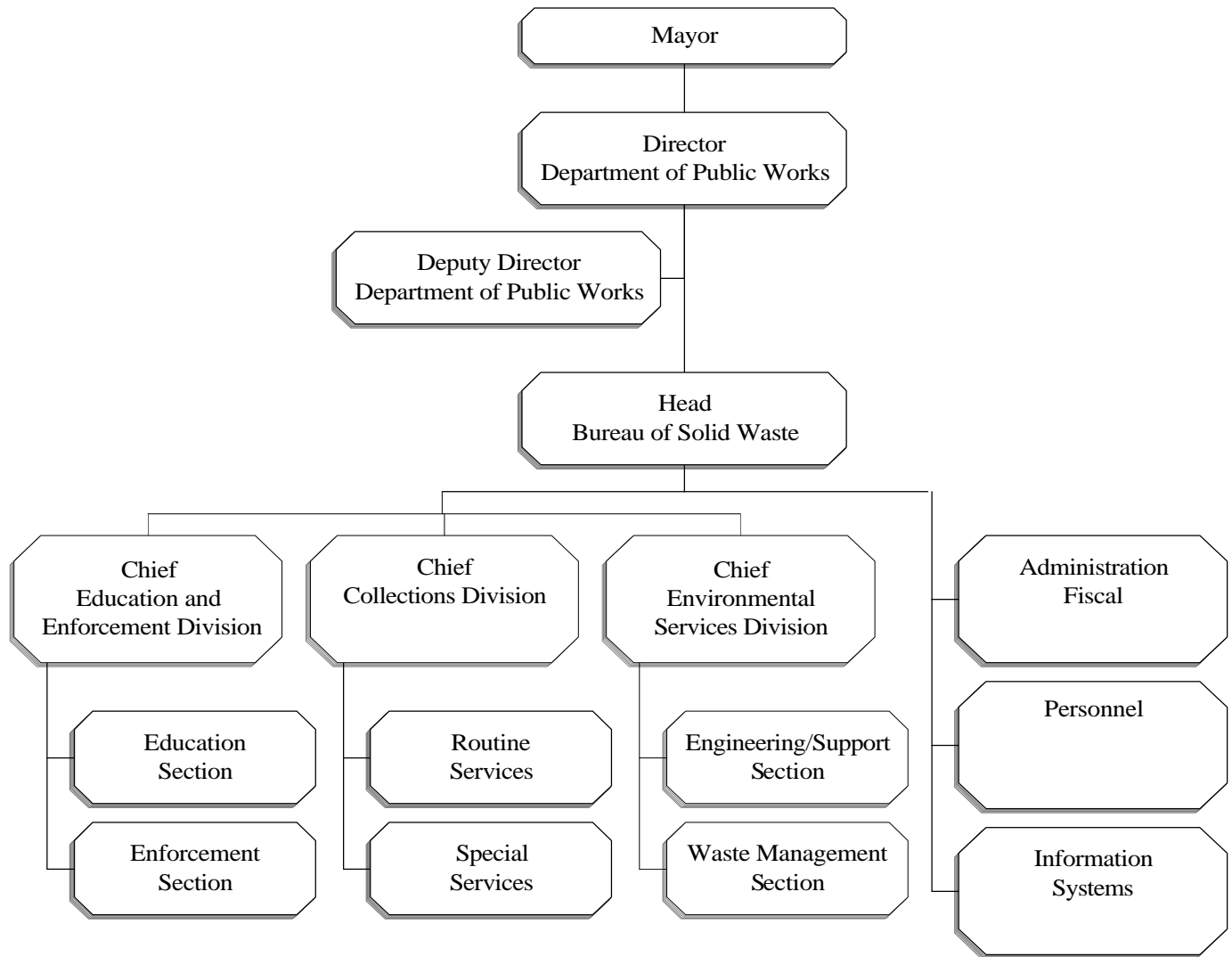


**FIGURE 1-2**  
**DEPARTMENT OF PUBLIC WORKS ORGANIZATIONAL CHART**

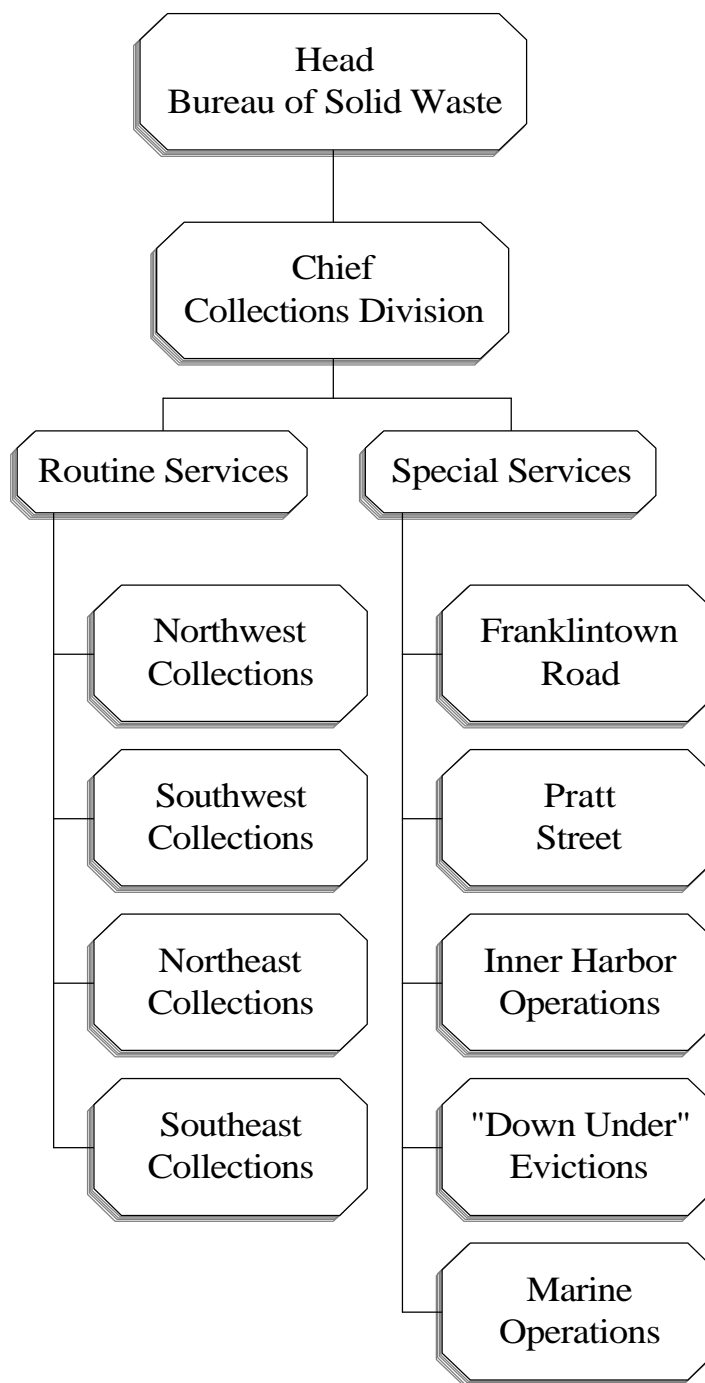


Other Bureaus and Divisions within the Department of Public Works provide technical knowledge and assistance in solid waste programs. Also, to ensure that the collection, handling, and disposal of solid waste does not become a public health or environmental hazard, the City's Health Department, in conjunction with the Maryland Department of the Environment (MDE), monitors the City's solid waste management system and periodically inspects privately owned solid waste facilities. As of March 2000, the Baltimore City Police Department helps in the enforcement of sanitation regulations in the City as part of Mayor Martin O'Malley's "War on Crime and Grime."

**FIGURE 1-3**  
**BUREAU OF SOLID WASTE ORGANIZATIONAL CHART**

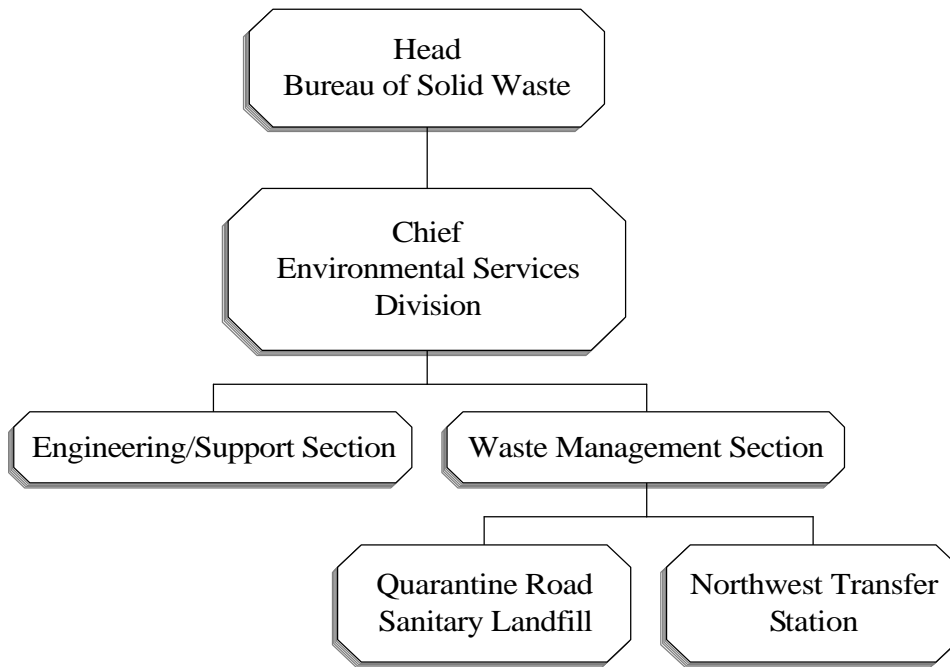


**FIGURE 1-4**  
**COLLECTIONS DIVISION ORGANIZATIONAL CHART**



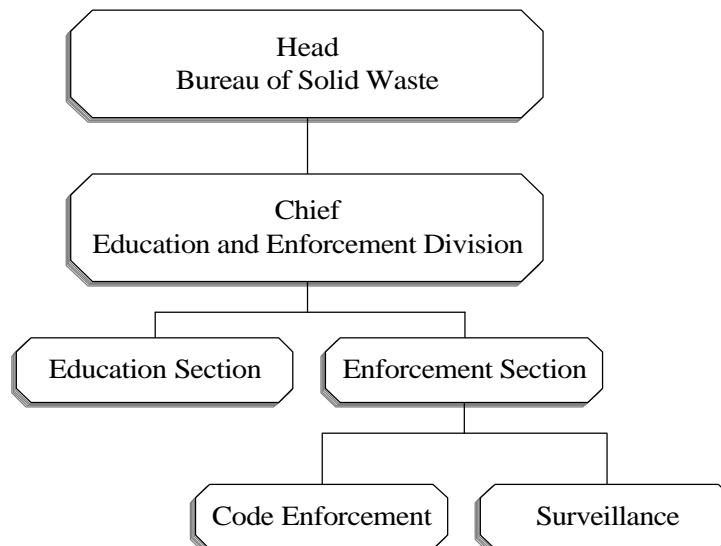
**FIGURE 1-5**  
**ENVIRONMENTAL SERVICES DIVISION ORGANIZATIONAL CHART**





**FIGURE 1-6**

**EDUCATION AND ENFORCEMENT DIVISION ORGANIZATIONAL CHART**



**1.3 LAWS AND REGULATIONS**

Solid waste planning is primarily a local responsibility. Federal and State laws and regulations control local practices to protect public health and welfare. The major Federal, State and City laws and regulations related to

solid waste management are listed below. The implications of these laws and regulations are discussed throughout this plan, especially in Section 4.3.

### **1.3.1 Laws and Regulations Focusing On Municipal Solid Waste**

#### **1.3.1.1 Federal Laws and Regulations**

**Federal Resource Conservation and Recovery Act (RCRA)**, 42 U.S.C. 6901 et seq.

In 1976, the Federal Resource Conservation and Recovery Act (RCRA) was passed to improve solid waste disposal methods. It was amended in 1984 by the Hazardous and Solid Waste Amendments.

An expressed objective of RCRA is to “provide for the promulgation of guidelines for solid waste, collection, transport, separation, recovery and disposal practices and systems.” RCRA is divided into nine subtitles, A through I.

Under Subtitle C, hazardous waste is regulated through standards for generators, transporters, owners and operators of hazardous waste treatment, storage and disposal facilities, and for the management of specific hazardous wastes and management facilities. Subtitle C established a “cradle to grave” hazardous waste management system. The Environmental Protection Agency (EPA) has authorized the State of Maryland, through the Maryland Department of the Environment, to administer a State hazardous waste program, which generally parallels the Federal program.

Under Subtitle D, municipal solid waste is regulated through technical standards for solid waste management facilities and a program under which States may develop and implement solid waste management plans.

Subtitle F of RCRA requires the Federal government to participate actively in procurement programs to foster the use of recycled materials. The role of the EPA in the Subtitle F program is to prepare guidelines for procuring products made from recovered materials.

#### **Federal Municipal Waste Management Regulations (40 CFR Part 258)**

On October 9, 1991, the EPA promulgated new Federal requirements for construction and operation of municipal solid waste landfills in accordance with Subtitle D of RCRA<sup>1</sup>.

The Federal regulations set forth minimum criteria for municipal solid waste landfills which include: location restrictions, operating requirements, design criteria, groundwater monitoring and corrective action protocol,

---

<sup>1</sup> RCRA – Federal Resource Conservation and Recovery Act

closure and post-closure care, and financial assurance requirements. New Federal regulations require random inspections of incoming loads at landfills and training of all relevant personnel are now required. The regulations also impose an extensive record keeping protocol.

With respect to air emissions, the Federal regulations require quarterly monitoring of methane levels at municipal solid waste landfills. Furthermore, the Federal regulations prohibit violations of a Clean Air Act State Implementation Plan. In March 1996, EPA promulgated a regulation governing emissions from municipal solid waste landfills, which emit more than 50 megagrams of volatile organic compounds (VOCs). EPA also established a New Source Performance Standard (“NSPS”) for new municipal solid waste landfills, which include those which began construction, modification, reconstruction, or began accepting waste after May 30, 1991. The NSPS requires the owner or operator of a municipal solid waste landfill having a design capacity less than 2.5 million megagrams to submit an initial design capacity report. Larger facilities must submit a design plan for a gas collection control system.

With respect to closure, the Federal regulations dictate that closure must begin within 30 days of the last deposit and must be completed within 180 days. Generally, post-closure groundwater, gas, and leachate monitoring must be performed for 30 years. Subtitle D also imposes substantial financial assurance requirements that will assure the ability to pay for closure, post closure and corrective action.

The effective date of the regulations was October 9, 1993, except for financial assurance requirements (effective October 9, 1994) and groundwater monitoring requirements (phased in beginning October 9, 1994). Facilities that stopped receiving waste prior to the publication date are exempt from the Federal rule. Facilities that stop receiving waste prior to the effective date are exempt from the Federal rule except for the final cover requirement. Facilities that receive waste after the effective date must comply with all requirements of the Federal rule. MDE received a final partial approval of its Municipal Solid Waste Landfill Program on August 2, 1995. Until MDE receives full and final approval, a municipal solid waste landfill is subject to both Federal and State regulations.

States with existing solid waste regulation programs, such as MDE, will be required to apply to EPA for program approval in accordance with the State/Tribal Implementation Rule. This rule has not been published to date.

#### **1.3.1.2 State Laws and Regulations**

**State Laws Governing the Construction and Operation of Solid Waste Acceptance Facilities Generally**  
(Environment Article of the Annotated Code of Maryland §§ 9-101 through 9-229)

Subtitle 2, Part II of the Environment Article establishes permit requirements to construct and operate refuse disposal systems (sanitary, rubble and industrial landfills, transfer stations, solid waste acceptance facilities, solid waste processing facilities and incinerators) as part of the State's overall power to regulate water supply, sewerage facilities, and refuse disposal systems. It sets forth requirements for public hearings for waste disposal facilities; landfill permit provisions (issuance, denial, revocation, term); security requirements for landfills, incinerators, and transfer stations; prohibitions on siting and waste acceptance; and financial assurance requirements for sanitary landfills.

Under § 9-228, scrap tires may not be stored longer than 90 days, and a Statewide scrap tire recycling system is established. The material from scrap tires is to be recovered and reused, or if this is impractical, the tires may be incinerated. Scrap tires may not be disposed of in a landfill.

Under §§ 9-1701 and 9-1708, a system for wood waste recycling activities is established. Recycling of tree debris, grass clippings and other natural vegetative matter is regulated under COMAR 26.04.09.

**State Ten-Year Solid Waste and Recycling Plan Requirements** (Environment Article of the Annotated Code of Maryland § 9-501 through § 9-512, § 9-1703)

These sections of the Annotated Code require Maryland counties and Baltimore City to prepare comprehensive water, sewer and solid waste plans that describe that jurisdiction's requirements for the next ten years. The jurisdiction must review these plans at least once every 3 years. In counties with populations greater than 150,000, the plan must include a recycling plan that provides for a reduction through recycling of at least 20 percent of the county's solid waste stream by weight. Full implementation of such recycling plans was required by January 1, 1994. The Baltimore Regional Recycling Plan is incorporated into this Solid Waste Management Plan by reference.

**Maryland Solid Waste Management Regulations** (COMAR 26.04.07)

This chapter of COMAR includes permitting requirements, operating procedures, closure requirements, and post-closure monitoring requirements for sanitary, rubble, land clearing debris, and industrial landfills. This chapter also describes permitting and operating procedures for processing facilities, transfer stations, and incinerators. In addition, this chapter provides guidelines and requirements for construction plans, specifications and operation procedures for waste acceptance facilities.

**Development of County Comprehensive Solid Waste Management Plans** (COMAR 26.03.03)

This chapter of COMAR describes the solid waste plan's required contents, and the proper procedures for revising/amending the plan.

**Storage, Collection, Transferring, Hauling, Recycling, and Processing of Scrap Tires (COMAR 26.04.08)**

This section of COMAR establishes a regulatory system for proper management of scrap tires. MDE authorizes scrap tire facilities and haulers by issuing licenses and approvals for facilities. The regulations provide general technical and operational standards for scrap tire facilities including storage procedures, closure procedures, and financial assurances. The system is to be funded by a recycling fee of one dollar per tire for each new tire sold in the State.

**Natural Wood Waste Recycling Facilities (COMAR 26.04.09)**

Management of natural wood waste recycling facilities is regulated under this part of the code. Permitting requirements for processing facilities are established. General operational requirements and procedures are prescribed.

**Rubble Landfill Regulations**

In the fall of 1997, MDE adopted regulations to require liners and leachate collection systems for any new rubble facilities or new cells at existing facilities. Existing facilities needed to install liners and leachate systems, or close by July 2001.

**1.3.1.3 City Laws**

**Sanitation, Article 23, Baltimore City Code Subtitles 1 through 21.**

Article 23 of the Baltimore City Code deals directly with the collection and disposal of solid waste in the City. It defines in detail the responsibilities of the City and the citizen regarding the handling of solid waste. The City's responsibilities include the collection of mixed refuse (under the purview of the Director of Public Works), the cleaning of City thoroughfares, and the frequency of collection from households. Citizens' responsibilities outlined in the article include the number and sizes of containers allowed to be set out for collection, and what is not allowed to be set out for collection. Article 23 details fees associated with operating solid waste hauling vehicles as well as fines for violating these regulations. The article in its entirety is included in Appendix D.

**Health Code of Baltimore City – Title 7**

Title 7 of the Health Code deals directly with the handling and transportation of solid waste by private enterprises that choose to do so in the City of Baltimore. Synopses of the more pertinent subtitles in this article are listed below. The entire article is included in Appendix D.

**Solid Waste Collection**

Subtitle 2 requires the Commissioner of Health to issue permits for private parties engaged in the collection and disposal of solid waste. City collection activities are exempt. These sections also regulate collection methods and times and provide for inspection of vehicles.

**Permit for Operating Landfill**

Subtitle 4 requires private landfill operators to obtain an operating permit, obtain City approval of engineering plans, and post security against hazardous or unsafe operation. However, the City zoning laws do not permit anyone to operate a sanitary landfill except City government.

**Litter Control**

Subtitle 7 provides a penalty for the disposal of trash in other than a proper receptacle or a manner approved by the City. It provides for the issuance of citations by a police or an enforcement officer.

**Environmental Control Board**

Article 1, Subtitle 40 of the Baltimore City Code establishes an Environmental Control Board to adjudicate civil citations issued for violations of City Code provisions pertaining to sanitation.

**1.3.2                      Laws and Regulations Governing Special and Hazardous Wastes****1.3.2.1                  Federal Laws and Regulations**

**Federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA),**  
42 U.S.C. 9601 et seq.

In December 1980, Congress enacted the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), commonly referred to as “Superfund”, and substantially amended it in 1986 by the Superfund Amendments and Reauthorization Act (SARA). In contrast to RCRA, which generally regulates current hazardous waste handling and disposal, CERCLA focuses on both short-term and long-term remediation of past contamination. The Federal government can use the Superfund trust fund to clean up a property and then sue the responsible parties for reimbursement, or the government may order responsible parties to clean up the site. Maryland has created a parallel State Superfund, the Hazardous Substance Control Fund.

CERCLA has identified in its National Priorities List (NPL) two sites in Baltimore as Superfund sites. One site, located at the intersection of Kane and Lombard Streets used to contain nearly 1,200 drums of flammable solids, but since its clean up in the mid 1980's, it is now known as the "SuperFun" golf driving range. The other location at the Chemical Metals Industries sites at 2001 and 2103 Annapolis Road has been removed from the NPL since December of 1982. It is now used by MDE as an Emergency Response Field Office.

**Management of Hazardous Waste, Subtitle C of RCRA (40 CFR Part 264 and Part 265)**

Regulations pursuant to Subtitle C of RCRA established the hazardous waste management system, including identifying and listing hazardous wastes, establishing standards for generators and transporters and for the management of hazardous wastes for the owners and operators of hazardous waste treatment, storage, and disposal facilities. They require stringent administrative and record keeping practices by permitted facilities.

**1.3.2.2 State Laws and Regulations**

**Hazardous Materials and Hazardous Substances** (Environment Article of the Annotated Code of Maryland §§ 7-101 through 7-516)

This part of the Annotated Code defines controlled hazardous substances, establishes requirements for facility permits, imposes obligations on transporters and provides for appropriate enforcement actions.

**Maryland Used Oil Recycling** (Natural Resources Article of the Annotated Code of Maryland § 8-1401)

In this subtitle, the Maryland Legislature expressed its desire that used oil be collected and recycled to the maximum extent possible. The Department of Natural Resources is required to develop a public education program and to designate used oil collection facilities. The Act prohibits disposal of used oil into sewers, drainage systems, or natural waters, or by incineration, or as refuse.

**Maryland Hazardous Waste Regulations** (COMAR 26.13)

These rules concern the disposal of Controlled Hazardous Substances. Included are definitions of what is considered to be hazardous waste, standards applicable to generators of hazardous waste, standards for owners and operator of hazardous waste treatment, storage and disposal facilities.

**Management of Special Medical Wastes** (COMAR 26.13.11 through 26.13.13)

The definition of special medical wastes is set forth and standards for generators are established including a manifest system to track the transportation of special medical wastes. Standards for transport vehicles are established. Special medical wastes include anatomical material and blood-soiled articles.

### **Voluntary Cleanup Program**

One negative aspect arising from the Comprehensive Environmental Response, Compensation and Liability Act was the extreme difficulty involved with the redevelopment of “Brownfields.” Brownfields are abandoned or underutilized properties where redevelopment is complicated by real or perceived environmental contamination. Recognizing this problem, the EPA devised the Brownfields Economic Redevelopment Initiative. This program is designed to empower states to assess, safely cleanup, and vitally reuse brownfields. From this initiative the State of Maryland established its Voluntary Cleanup Program. Signed into law on February 25, 1997, this emergency legislation provides a streamline remediation approval process, changes the liability scheme for prospective developers, and clarifies liability to the State for all participants in the program.

## **1.3.3 Laws and Regulations Controlling Air Emissions**

### **1.3.3.1 Federal Laws and Regulations**

**Federal Clean Air Act (CAA)**, 42 U.S.C. 7401 et seq.

The Clean Air Act Amendments of 1970 passed by Congress established the current framework for Federal and State enforcement of air pollution. The Act authorizes the Federal government, through the EPA to set standards for the control of air pollution and directs the State toward achievement of these standards.

The regulation of air quality is managed through a combination of ambient air quality standards, emission standards, State planning processes, and construction and operating permits. Existing sources are subject to a different regulatory scheme than are new or modified sources.

Ambient standards seek to establish maximum levels of acceptable pollution levels in the air in general, without regard to their cause or source. The EPA has developed National Ambient Air Quality Standards, which establish maximum allowable levels of certain pollutants, regardless of source. The primary standard is the maximum amount of pollutant that can exist in the air before public health would be endangered. An area that is in compliance with the ambient air quality standard is called an attainment area. An area which exceeds the



standard is a non-attainment area. EPA recently issued a “SIP<sup>2</sup> call” to 22 States and the District of Columbia, directing a revision of requirements. It is anticipated that these new requirements, which may require compliance as early as 2002, may result in an 85 percent reduction in emissions by utilities. In addition, ozone transport regions were created in 1990, whereby each State was assigned a maximum Nitrogen Oxide Gasses (Nox) budget, which the State must allocate to all sources.

With respect to emission standards, the 1970 Clean Air Act Amendments established a special program entitled National Emission Standards for Hazardous Air Pollutants for the regulation of certain hazardous air pollutants. These standards are health based. Title III of the 1990 Clean Air Act Amendments established a technology-based standard for the control of hazardous air pollutants, whereby sources would be required to adopt the “maximum allowable control technology” to reduce certain toxic emissions.

### **Federal New Source Performance Standards**

These standards impose national emission standards for newly constructed or modified industrial facilities, by imposing limitations based on the pollution control technology available to each particular category of new sources.

### **New Source Review**

EPA has published guidance for new source review, whereby requirements were promulgated to ensure that major new sources do not adversely affect Maryland’s attempt to achieve compliance with the national ambient standards.

### **Prevention of Significant Deterioration**

This program was designed to ensure that air quality would not significantly deteriorate in areas where the ambient standards are being met, primarily controlling new sources of pollution.

#### **1.3.3.2 State Laws and Regulations**

**State Ambient Air Quality Control Laws** (Environment Article of the Annotated Code of Maryland §§ 2-101 through 2-614)

---

<sup>2</sup> SIP – State Implementation Plans

The regulation for the construction, modification, operation and use of sources and controls over these emissions is authorized by this title of the State code. It authorizes the adoption of rules and regulations for air pollution control including testing, monitoring, recordkeeping, and reporting. It allows for the identification of air quality control areas and mandates the MDE set emission and ambient air quality standards for air quality control areas. Training for municipal solid waste incinerator operators is required under these provisions of the law.

#### **Control of Incinerators (COMAR 26.11.08)**

Air emissions and operation of incinerators, which thermally destruct municipal solid waste, industrial waste, special medical waste and sewage sludge, are regulated. The regulations require continuous monitoring of air emissions. These incinerators must also comply with general emission standards in COMAR 26.11.06.01 – 12 and 40 CPR § 60.

### **1.3.4 Laws and Regulations Controlling Water Pollution**

#### **1.3.4.1 Federal Laws and Regulations**

##### **Federal Clean Water Act, 33 U.S.C. 1251 et seq.**

The Clean Water Act (CWA) is the framework for Federal and State enforcement of water pollution control laws. The CWA's objective is to "restore and maintain the chemical, physical, and biological integrity of the nations waters". The CWA includes: water quality standards based on a waterway's designated use; a permit program for the discharge of wastewater directly into waterways; minimum effluent standards based on the capabilities and costs of pollution control technology for each industry; pre-treatment standards for industries that discharge into publicly-owned treatment works ("POTWS"); the handling of spills of oil and hazardous wastes; and minimization of non-point source pollution. All states are required by the Clean Air Act to consider the development of Total Maximum Daily Loads, which will formulate procedures for setting upper limits on pollutants through permit discharge limits.

Every two years the MDE will submit a prioritized list of waterways that currently do not meet water quality standards or will not meet the standards after all technology-based controls are in place. Modeling is then used to establish the maximum load of quality standards. Once this maximum pollutant load is defined, it must be allocated between point and non-point sources, accounting for the margin of safety and future growth.

The CWA requires solid waste disposal facilities discharging wastewater to: (1) obtain a National Pollution Discharge Elimination System (NPDES) permit to discharge into surface waters, using best available

technology to control pollution; or (2) meet pre-treatment standards and discharge to a sewer system. Furthermore, storm water management plans are required and facilities sited in wetlands need a Section 404 permit. The amendments also require an increased EPA effort to establish regulations for permits for storm water discharge associated with landfills and other treatment, storage and disposal facilities for municipal waste.

**National Pollutant Discharge Elimination System (NPDES) Program (40 CFR Parts 122 through 125)**

The NPDES program serves as the permit program for the CWA. NPDES is responsible for issuing, monitoring, and enforcing permits for direct wastewater discharges to waters of the State or Federal government. The CWA established the NPDES permit program under §402 of the Act to implement regulations, limitations, and standards promulgated for point source direct discharges including certain storm water discharges. NPDES permits contain applicable effluent standards (i.e. technology-based and/or water quality-based), monitoring requirements, and standard and special conditions for discharge. Part 123 describes how states may obtain approval to operate a permit program in lieu of the Federal program. Maryland's permit program, administered by MDE, ordinarily operates in lieu of the Federal program.

NPDES permits are now required for storm water discharges associated with industrial activity and discharges from municipal separate storm sewer systems under 40 CFR 122.26. Among those entities considered to be engaging in industrial activity are landfills that receive or have received any industrial wastes, and facilities involved in the recycling of materials. These regulations are applicable to State NPDES programs such as Maryland's.

**National Pre-treatment Program (40 CFR Part 403)**

The national pre-treatment program authorized under the Clean Water Act controls the discharge of pollutants to municipal wastewater treatment facilities. The goal of the pre-treatment program is to protect municipal wastewater treatment plants and the environment from damage that may occur when hazardous, toxic, or other non-domestic wastes are discharged into a sewer system. It may pass through the Publicly Owned Treatment Works (POTWs) untreated, or which make it difficult for POTWs to meet the effluent limitations in their NPDES permits. This objective is achieved through pre-treatment of wastewater discharged by industrial users such as incinerators. The discharge standards specify quantities or concentrations of pollutants or pollutant properties that are permitted to be discharged to the municipal wastewater collection system.

**Safe Drinking Water Act (SDWA), 42 U.S.C 300f et seq.**

The SDWA requires EPA to establish regulations to protect human health from contaminants in drinking water. The legislation authorizes national drinking water standards and a joint Federal-State system for assuring compliance with those standards. Maximum contaminant levels and treatment techniques ensure the quality of public drinking water supplies. The 1986 amendments to the SDWA established a wellhead protection program that the states may use to protect public drinking wells and springs from contaminants, including contaminants from landfills. The 1996 amendments overhauled the water standard scheme; changed enforcement mechanisms; appropriated one billion dollars for State loan funds; required EPA to develop arsenic, sulfate and radon standards; implemented public right to know requirements; imposed new monitoring requirements; budgeted Federal money for source water protection and the construction, rehabilitation and improvement of water supply systems.

#### **1.3.4.2 State Laws and Regulations**

##### **Maryland Water Pollution Control Regulations (COMAR 26.08)**

These regulations contain:

1. Water quality standards that specify the maximum permissible concentrations of pollutants in water, the minimum permissible concentrations of dissolved oxygen and other desirable matter in the water, and the temperature range for the water;
2. Effluent standards that specify the maximum loading or concentrations and the physical, thermal, chemical, biological and radioactive properties of wastes that may be discharged into the waters of the State;
3. Procedures for water pollution incidents or emergencies that constitute an acute danger to health or the environment;
4. Provisions for equipment and procedures for monitoring pollutants, collecting samples, and logging and reporting of monitoring results.

As part of this regulatory scheme, these regulations require a discharge permit for discharges of wastes, wastewater, and storm-water into the waters of the State. Sanitary landfills and incinerators receive special attention to determine whether they contribute pollution to storm-water runoff.

#### **1.3.4.3 Septage Management**

Article 25 of the Baltimore City Code, as amended by Ordinance 129 (approved June 28, 1984) and Ordinance 775 (approved June 28, 1991), provides the mechanism for the City's Waste Hauler/Scavenger Program. The Waste Hauler/Scavenger Program became effective on January 1, 1987. Under the program, any company

wishing to dispose of septage to the City wastewater system must first apply for and obtain a Waste Hauler Permit and Vehicle Permit Tag for each vehicle, and pay an annual permit and tag fee.

The Back River and Patapsco Wastewater Treatment Plants have facilities to accept discharge of septage between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, excluding City holidays. These are the only two locations the City allows for septage discharge. A two-cent per gallon (\$0.02/gal) charge is assessed. Emergency requests are dealt with on a case by case basis.

The program is regional in scope, recognizing programs in Baltimore, Howard and Anne Arundel Counties, which were developed, cooperatively with the City program. The program dictates the types of wastes to be accepted, allows for City sampling of the septage, and preserves the City's right to refuse acceptance of any load. Any violation of the program conditions can result in fines, revocation of permits and/or prosecution of the permit holder.

Septage received at the Back River and Patapsco Plants from private haulers currently account for less than 1 percent of the daily flow at either plant. The septage discharged becomes part of the plant flows and is subject to the same treatment processes. The solids also become part of the overall sludge production and are subject to the same solids processing and disposal.